

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 Barbara Ruth Cram,
5 Plaintiff
6 v.
7 U.S. Interior,
8 Defendant

2:16-cv-02870-JAD-CWH

Order Certifying that *In Forma Pauperis* Status Should Not Continue on Appeal

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10 Pro se plaintiff Barbara Ruth Cram sued the “U.S. Interior” alleging that she and her newborn
11 baby were both stabbed, beheaded, and murdered by “subject[s]” she described as “ventriloquists
12 [that] sound like each other and have white hair,” who “work in corrections,” and are “members of a
13 roving gang.” Cram, however, failed to describe how the roving gang of white haired ventriloquists
14 that murdered her and her baby implicated the “U.S. Interior,” when and how. Magistrate Judge Bill
15 Hoffman granted Cram’s application to proceed *in forma pauperis* but recommended that Cram’s
16 complaint be dismissed with prejudice because her allegations “describe[d] fantastic and delusional
17 scenarios and [did] not state a claim upon which relief can be granted.”¹ Cram timely objected.

18 In Cram’s disjointed objection to Judge Hoffman’s report and recommendation, Cram raised
19 additional allegations of “guarding judges,” “Janet Reno’s home,” “the Secretary of State,” “the U.S.
20 President[,] and more than one senator that became president,” and also “being knifed hundreds of
21 times . . . [and] dropped on the freeway in the travel lanes to die under cars.”² After reviewing *de*
22 *novo* those portions of the report and recommendation that Cram objected to, I agreed that Cram’s
23 complaint lacks any plausible factual allegations and is replete with delusional and frivolous claims.
24 I, therefore, adopted Magistrate Judge Hoffman’s report and recommendation and dismissed Cram’s

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26 ¹ ECF No. 7 (citing *Lopez v. Smith*, 203 F.3d 1122, 1126 (9th Cir. 2000) (stating that a district court
27 is not required to provide leave to amend a complaint if the complaint could not possibly be cured by
the allegation of other facts)).

28 ² ECF No. 10.

1 complaint with prejudice and denied all pending motions as moot.³

2 The Ninth Circuit has referred this matter back to me to determine whether Cram's *in forma*
3 *pauperis* status should continue on appeal, which requires me to determine whether her appeal is
4 frivolous or taken in bad faith.⁴ This case was dismissed at the trial level for failure to state a claim
5 upon which relief could be granted and this defect will continue on appeal. Accordingly, for the
6 reasons set forth in my dismissal order, I HEREBY CERTIFY that this appeal is frivolous and taken
7 in bad faith and that *in forma pauperis* status should not continue on appeal.

8 The Clerk of Court is directed to send a copy of this order to the U.S. Court of Appeals for
9 the Ninth Circuit (reference case number 17-15933).

10 Dated this 10th day of May, 2017.

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12 Jennifer A. Dorsey
13 United States District Judge
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26 ³ ECF No. 13.

27 ⁴ See 28 U.S.C. § 1915(a)(3); see also *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir.
28 2002).